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BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Residence Inn by Marriott

FINAL DECISION

Master Site Plan, Site Plan, Variance
and ModificationLUA15-000280, ECF, SA-M, MOD,
VAR**Summary**

The applicant is requesting Master Site Plan Review, Site Plan Review, two Variances, and two Modifications in order to construct a 146-guest room hotel and structured parking area at 1100 Lake Washington Blvd N. The applications are approved subject to conditions.

Testimony**Staff Testimony**

Clark Close, City of Renton Associate Planner, summarized the staff report. The examiner inquired as to why no reasonable use remains if the variances weren't granted. Mr. Close responded that the variances are necessary to accommodate a fire turn around and parking garage. The examiner asked if a smaller hotel would avoid the slope encroachment.

Vanessa Dolbee, Current Planning Manager, responded that the hotel balances scale with the adjoining hotel by pushing the hotel back from the street frontage and that is one of the causes for the need of the variance request. Staff would rather grant the variance then have the hotel built closer to the street.

1
2 **Applicant Testimony**

3 Kurt Jensen, applicant's architect, testified that the applicant has an issue with Condition No. 4.
4 The City wants an annual report and a restrictive covenant.

5 Michael Mahoney, the applicant's representative, noted that from a business perspective the
6 required covenant would create a hardship by creating a cloud on the title by leaving uncertainty
7 as to future compliance. He noted that the geotechnical review has found no slope stability
8 issues.

9 Ray Coglas, project geotech, testified that borings, aerial photographs and other data have been
10 collected and that he was able to conclude that the geology is very competent, very dense glacial
11 till that has no susceptibility to instability. He has been required to do annual inspections on rare
12 occasions by other jurisdictions, but that is usually only required for slopes that have historically
13 been prone to landslides. The subject site has no such history. There is high certainty that the
14 slopes will not have stability problems.

15 **Staff Rebuttal**

16 Clark Close testified that the City is willing to remove the requirement for a covenant but still
17 wants an annual report.

18 Vanessa Dolbee noted the City's request for annual report is a new condition the City will be
19 asking. It is a result of both the Oso slide and of a review of slopes by the City that identified
20 several unstable slopes.

21 **Applicant Rebuttal**

22 The applicant noted they have done a much more detailed slope stability review than the slope
23 survey conducted by the City and there is no history of slope instability or indication that it will
24 be unstable in the future.

25 **Exhibits**

26 Exhibits 1-29, identified at page 2 of the Staff Report and page 3 of the Environmental Review
Committee report, were admitted into the record during the hearing. The following exhibits were
also admitted during the hearing:

Exhibit 30	Staff Report
Exhibit 31	City of Renton core maps located on City's website

Findings of Fact

Procedural:

1. Applicant. The Applicant is Western International.
2. Hearing. The Examiner held a hearing on the subject application on July 14, 2015 in the City of Renton Council Chambers at 11:00 am.
3. Project Description. The applicant is requesting Master Site Plan Review, Site Plan Review, two Variances, and two Modifications in order to construct a 146-guest room hotel and structured parking area. The subject property is located on the east side of Lake Washington Blvd N just north of Houser Way N at 1100 Lake Washington Blvd N, directly west of I-405. Access is proposed via a single curb cut on Lake Washington Blvd N.

The project site totals 124,691sf (2.86 acres). The proposed 124,330sf hotel would be five stories in height. A total of 147 parking stalls would be provided in a two-level parking garage and parking deck near the northern portion of the site. The site is located within the Urban Center North – 2 (UC-N2) zone and Design District 'C'. The majority of the site is currently undeveloped. There is a soft surface pedestrian trail from NE Park Dr. to Lake Washington Blvd N.

The site contains critical and sensitive slopes and Moderate to High Landslide and High Erosion hazards, all located on the eastern portion of the site. The critical slopes represent 26.3% of the subject site (32,788sf). The applicant is proposing to retain 13 of the 59 inventoried trees within the 1.17 developable acres of the site.

The applicant proposes to remove 17,800cy of material from the site and bring in 1,000cy of structural fill. Impervious cover will be 39% of the site.

The applicant has proposed to construct a patio along Lake Washington Boulevard North. This will serve as a focal point for the development and create a visually prominent entry. The main entrance for the hotel is marked with a prominent wooden entry trellis.

The applicant proposes to use less of a development envelope than allowed by the zone (Ex. 7 and 8), to provide step backs along the north property line and reduce the scale and bulk of the building through use of differing materials on the building facade and varying the window sizes.

Approximately 70% of the street facade, along Lake Washington Blvd N and visible to the public, is comprised of transparent windows and/or doors at the ground level podium. The storefront windows would be transparent from about six inches (6") up to 10' above the ground. The store front theme is wrapped around the south elevation to provide additional transparent windows and/or doors visible to

1 the public. A large portion of the remaining ground floor façade would be screened with plants to
2 grow or climb vertically along wall trellises.

3 The applicant has proposed a pitched asphalt shingle roof that has been broken up into different
4 components with the use of varying heights and multiple feature roof elements that project above the
5 main roof line. The applicant is not proposing roof mounted equipment and/or screening for such
6 equipment. The loading and service area are located behind the building away from the street and any
7 public pedestrian-oriented functions.

8 The applicant is requesting Modification for right-of-way improvements (RMC 4-6-060) along the
9 south property for a distance of approximately 100 feet and a reduction in the parking ratio that would
10 exclude parking for the employees (RMC 4-4-080).

11 The applicant is requesting a Variance from RMC 4-3-050 in order to construct within the critical
12 slopes onsite and from RMC 4-2-120E in order to exceed the maximum front yard setback of five
13 feet. The applicant proposes to encroach on the critical area by 3,115sf.

14 Staff received multiple public comments via letter and telephone (Ex. 27). Most comments related to
15 traffic impacts in the area from this project and other proposed projects. The neighboring Hampton
16 Inn and Suites provided a letter of support.

17 The Environmental Review Committee issued a Determination of Non-Significance - Mitigated
18 (DNS-M) for the Residence Inn by Marriott (Exhibit 23) on June 8, 2015 containing four mitigation
19 measures. No appeals on the threshold determination were filed.

20 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate
21 infrastructure and public services as follows:

22 A. Water and Sewer Service. The City of Renton will provide both sewer and water to the
23 project. There is an existing 12-inch water main located within Lake Washington Blvd N
24 (refer to City project plans no. W-0327 & W-2131). The static water pressure is about 120
25 psi at ground elevation of 40 feet. There is an existing 8-inch sewer main in Lake
26 Washington Blvd N.

B. Fire and Police. The project site will be served by the City of Renton fire and police
departments. Police and Fire Prevention staff indicated that sufficient resources exist to
furnish services to the proposed development if the applicant provides Code-required
improvements and fees.

C. Drainage. The applicant proposes a drainage plan that has met preliminary staff approval
and is conceptually consistent with the City's drainage standards. The applicant is

1 proposing an enclosed water quality feature known as a modular wetland system (MWS)
2 which meets the Enhanced Basic Water Quality Requirements of the KCSWM and has
3 General Use Level Designations (GULD) approval from the Department of Ecology for
4 Enhanced Water Quality (Ex. 17). Runoff from the new impervious areas will be routed
5 through a detention vault and then in to a modular wetland water quality system before
6 discharging into the City's conveyance system along Lake Washington Blvd N. Paving
7 and trench restoration will comply with the City's Trench Restoration and Overlay
8 Requirements. City staff have determined that the drainage plan complies with the new
9 City of Renton Amendments to the 2009 King County Surface Water Design Manual.
10 More detailed staff review and approval will occur during construction review.

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- D. Parks/Open Space. The applicant will be required to pay park impact fees, which are designed to fund the demand for park and open space facilities generated by residential development.

The applicant has proposed an outdoor pedestrian patio located off of Lake Washington Blvd N. which serves to provide an active public space between the building and the right-of-way. Outdoor steps, located around the middle portion of the landscaped outdoor patio space, provides for connection from the public sidewalk to the building entrances. A total of 3,500 square feet of passive and active open spaces is provided on the site and is of sufficient size for hotel patrons and the public. Pedestrian-oriented spaces and/or walkways are located around the west, south and east elevations.

- E. Off-Site Transportation. Off-site transportation facilities are adequate to serve the site. Traffic impacts are adequately mitigated by the proposal. Level of service standards will not be reduced below adopted levels for the proposal and traffic impact fees will be assessed to pay for proportionate share transportation system impacts.

The applicant submitted a Traffic Impact Analysis (Ex. 13). Staff note there are several proposed developments in the project vicinity which together will reduce the level of service (LOS) at the intersection of Lake Washington Boulevard North and Houser Way at the entrance to Gene Coulon Park. The proposal itself will not significantly reduce the intersection LOS, even under the circumstance wherein the traffic from the Southport Development is included at conservatively high traffic volumes. The proposed development by itself is not expected to impact the LOS at this intersection. No other nearby intersection service levels will see an increase of more than 5% in PM peak hour volumes and therefore no further analysis is required for other nearby intersections.

1 Despite the anticipated lack of project level impacts from this project on the Lake
2 Washington Boulevard North and Houser Way intersection, the City's Environmental
3 Review Committee imposed a SEPA mitigation measure requiring the applicant to pay a
4 pro-rated share of the traffic signal and roadway improvements costs for the intersection,
5 which is currently being constructed by SECO Development. The proposed project is
6 required to pay its pro-rata share based on the ratio of the number of trips added by the
7 project to the number of future baseline trips at the Southport/Gene Coulon Park
Entrance/Lake Washington Boulevard N. intersection. The applicant anticipates the
proposed development will account for approximately 3.0% of PM Peak hour trips.

8 F. Parking. The RMC requires a total of 163 parking spaces (one per guest room and one for
9 every three employees). The applicant and staff have agreed to a proposed parking
10 modification to allow for 147 parking spaces. The proposed 147 spaces represent roughly
11 a 10% reduction from the minimum number of parking spaces required per RMC
12 4.4.080.10.d. The number of parking spaces proposed is higher than demand calculated by
the average ITE parking demand and high occupancy rate. The proposed parking supply
will meet the 1 room to 1 parking space (1:1) supply required (Ex. 13).

13 G. Bicycle Stalls. No bicycle stalls were proposed. Per RMC 4-4-080(F)(11) the number of
14 bicycle parking spaces shall be 10% of the number of required off-street parking spaces.
15 Based on the proposal which requires 163 vehicle parking stalls, 16 bicycle parking stalls
16 are required to be provided. A condition of approval requires the applicant to submit a
revised site plan depicting bicycle parking in conformance with RMC4-4-080F.11.

17 H. Vehicular Access and Internal Circulation. The proposal is served by safe and efficient
18 vehicular access points and internal circulation. The proposal provides for a single curb
19 cut on Lake Washington Boulevard N at the south end of the site. Parking will be
20 accomplished under building parking and a parking garage from the single entry point off
21 the street in order to reduce conflicts. Service elements are located within the building to
reduce conflicts with parking and pedestrian circulation.

22 I. Pedestrian Circulation. The proposal is served by safe and efficient pedestrian circulation.
23 There are existing pedestrian and bicycle facilities in the subject vicinity including bike
24 lanes on both sides of Lake Washington Blvd N and existing contiguous sidewalk to the
25 north of the project (Ex. 13). The applicant will construct sidewalks along the site frontage
26 connecting to the existing sidewalk system to the north. There is a lack of pedestrian
facilities between the site and the intersection of Lake Washington Blvd N at the Gene
Coulon Park entrance/Houser Way intersection. A condition of approval will require the

1 applicant to tie pedestrian improvements into the intersection improvements recently
2 completed at Lake Washington Blvd N and Coulon Beach Park/Houser Way N.

3 The City's transportation corridor plan for Lake Washington Blvd N. includes frontage
4 improvements. The applicant has requested a modification to the location of the required
5 frontage improvements. The requested modification places the street frontage
6 improvements along Lake Washington Blvd N. instead of along the west property line of
7 the south parcel, which is not contiguous with the road. The improvements would extend
8 the right-of-way improvements along Lake Washington Blvd N. from the end of the north
9 lot to the railroad tracks, west of the south lot, for a distance of approximately 100 feet.
10 This area in front of the south lot is currently used to access overflow staff parking from
11 Gene Coulon Memorial Park. The applicant is not proposing an access point along this
12 portion of Lake Washington Blvd N. A condition of approval will require the applicant to
13 submit a revised road improvement plan depicting a 24-foot wide driveway approach
14 between the railroad tracks and the southwest property line of parcel no. 334450-0006
15 along Lake Washington Blvd N (Ex. 26) to preserve the overflow parking access.

16 J. Landscaping. The applicant submitted a proposed landscaping plan that substantially
17 meets the code requirements (Ex. 5). The plan specifies the vegetation proposed for use on
18 site, as well as in planters in common areas and the proposed green screens separating
19 patios on the upper floors. No landscaping was proposed on the second floor patio area
20 beyond the stairwell. A condition of approval will require the applicant to submit a
21 detailed landscaping plan depicting similar screening along the north elevation second
22 floor patio area consistent with the landscaping proposed along the west elevation second
23 floor patio area to achieve a significant landscaped roof patio screen between the two
24 adjacent hotels. A condition of approval will require the applicant to provide either
25 additional landscaping within the public right-of-way or wall treatments to minimize the
26 impact of the cast-in-place concrete retaining wall at the southwest corner of the site.

M. Refuse Enclosure. A minimum area of 296.9sf of recycle area and 593.8sf of refuse area
are required for the project. The proposal meets the required refuse and recyclable deposit
areas by providing 890sf area dedicated to refuse and recycle (Ex. 9). The trash area would
be located at the southeast corner of the building at the ground level and enclosed with
self-closing wood doors.

N. Recreation and Common Open Spaces. The building is over 30,000sf and therefore a
pedestrian oriented space is required. As noted above, the applicant proposes a patio along
the street frontage. There will be a total of 3,500sf of passive and active open space on site

1 which will accommodate both hotel patrons and the public. Landscaping along the edge of
2 the plaza will soften the sidewalk and complement the entry plaza.

3 5. Adverse Impacts. There are no significant adverse impacts associated with the project. Few
4 adverse impacts are anticipated. Adequate infrastructure serves the site as determined in Finding of
5 Fact No. 4. All other adverse impacts discernible from the record are also fully mitigated. Impacts
6 are more specifically addressed as follows:

- 7 A. Compatibility. The proposal is compatible with surrounding uses. It is one of three proposed
8 hotels on one side of the street with a major regional park on the other. It backs up to I-405.
9 There are live/work units nearby. As noted in the staff report (Ex. 30), the applicant has
10 proposed to step back the building and provide adequate facade treatment and materials in
11 order to reduce the impact on this neighboring use.
- 12 B. Lighting. The applicant has provided plans for pedestrian-scale lighting which will ensure
13 adequate public safety can be achieved without casting excessive glare on adjacent properties
14 (Ex. 29). However, the lighting plan did not provide technical specifications regarding the
15 foot-candle levels. A condition of approval will require the applicant to provide a lighting plan
16 with stated foot-candles levels for review prior to building permit approval.
- 17 C. Aesthetics. As proposed and conditioned, the proposal incorporates sufficient building facade
18 modifications, roof screening, landscaping, and pedestrian oriented spaces (*See* FOF No. 3) to
19 prevent adverse aesthetic impacts to neighboring properties and the general public.
- 20 D. Privacy and Noise. The proposal will not create any significantly adverse noise or privacy
21 impacts. As noted above in FOF No. 5(A), the building is compatible with surrounding uses
22 and is not expected to generate significant noise. The upper guestroom tower of the building
23 along the north elevation vertically steps back from the north property line 10 to 13 feet for
24 additional privacy between the two hotels. Increased privacy and noise reduction would be
25 gained through landscaping along the north property line and additional second floor patio
26 area landscaping in-front of the guestroom tower. Most of the noise impacts would occur
during the construction phase of the project. The applicant has submitted a Construction
Mitigation Plan that provides measures to reduce construction impacts such as noise, control
of dust, traffic controls, etc. (Ex. 15). In addition, the project would be required to comply
with the City's noise ordinance regarding construction hours.
- E. Views. No views are disrupted by the proposal, including views of Mount Rainier or the
shoreline. There are no territorial views in the vicinity.
- F. Public Access. The proposal does not interfere with any public access to the shoreline. No
shorelines are in the vicinity of the proposal.

1 G. Reduced Frontage Setbacks. The UC-N2 zone has a maximum front yard setback of five feet.
2 The proposed building would have a 22 ft. front setback. There is an existing 15 ft wide utility
3 easement running along the street frontage that prohibits the building from meeting the five
4 foot front yard setback. The City requested the applicant set back the building an additional
5 seven feet beyond the utility easement. A 22 foot setback would allow for construction of a
6 pedestrian plaza which would provide an open space and recreational amenity. Other
buildings in the vicinity have similar setbacks and open space amenities. Granting the setback
allows for compatible development with surrounding sites but does not constitute a granting
of special privilege.

7 H. Critical Areas. The only critical areas on site are steep slopes. There are 32,788sf of critical
8 slopes on the site. The applicant is proposing to encroach into 3,115sf of the critical slopes.
9 The applicant provided a geotechnical report (Ex. 10 and 14) which demonstrated no signs of
10 recent large scale erosion or slope stability issues on the subject site. There were signs of steep
11 reliefs, all of which proved stable. Subsurface soils demonstrate strength. The City does not
12 anticipate any detriment to the public welfare or safety provided the building's structural
13 foundations are constructed according to the proposed plan. The plan will likely result in
14 increased safety at the site. As noted above in FOF 5A, the proposed building is situated as far
15 forward as possible while still failing to encroach on the existing utility easement and provide
for a functional pedestrian amenity. The proposed setback is the minimum amount necessary
to meet the objectives of the UC-N2 zone while protecting the critical slopes. A condition of
approval will require the applicant to submit a revised Geotechnical report prior to
engineering permit approval noting corrected impacts to steep slopes and any changes in
recommendations accordingly.

16 Staff has also requested a condition requiring an annual geotechnical monitoring report
17 prepared by a qualified geotechnical consulting firm. The report would be a reconnaissance-
18 level geologic hazard and risk evaluation of the steep slopes on the designated critical areas of
19 this property. Staff's objective for the evaluation is to assess annual slope conditions and
20 advise the owner on areas of elevated risk for impacts to property or conditions that present
21 life and safety concerns. Staff further requested the applicant record a restrictive covenant
22 running with the land and applicable to the owner and all heirs and assigns. The applicant
23 argued the slopes are stable with no history of instability and therefore an annual report is
unnecessary. Staff determined that in the wake of the massive Oso landslide, it is in the public
interest to monitor slope activity to prevent future injury to the public. In light of the elevated
and sometimes unpredictable risk associated with steep slopes, a condition of approval will
require annual geotechnical monitoring reports, but it will not require a restrictive covenant.
No other properties in the subject's vicinity are required to provide such covenants.

24 **Conclusions of Law**

1. Authority. Master Site Plan Approvals, Site Plan Review and Variances associated with Hearing Examiner Review are each Type III decisions determined by the hearing examiner (RMC 4-8-080(G)). The site plan, variance and modification applications of this proposal have been consolidated. RMC 4-8-080(C)(2) requires consolidated permits to each be processed under “the highest-number procedure”. The site plan and variance applications have the highest numbered review procedures, so all four applications must be processed as Type III applications. As Type III applications, RMC 4-8-080(G) grants the Examiner with the authority to hold a hearing and issue a final decision on them, subject to closed record appeal to the City Council.

2. Zoning/Comprehensive Plan Designations. The property is zoned Urban Center North – 2 (UC-N2). The Comprehensive Plan designation is Urban Center North.

3. Review Criteria. Master Site Plan Review and Site Plan Review are required in the UC-N2 zone (RMC 4-9-200(B)(1) and RMC 4-9-200(B)(2)(a)). Master Site Plan and Site Plan Reviews are governed by RMC 4-9-200(E)(3). Variance approval is governed by RMC 4-9-250(B)(5). Modifications are governed by RMC 4-9-250(D)(2). All applicable criteria are quoted below in italics and applied through corresponding conclusions of law.

Site Plan

RMC 4-9-200(E)(3): Criteria: *The Administrator or designee must find a proposed project to be in compliance with the following:*

a. Compliance and Consistency: *Conformance with plans, policies, regulations and approvals, including:*

i. Comprehensive Plan: *The Comprehensive Plan, its elements, goals, objectives, and policies, especially those of the applicable land use designation; the Community Design Element; and any applicable adopted Neighborhood Plan;*

ii. *Applicable land use regulations;*

iii. *Relevant Planned Action Ordinance and Development Agreements; and*

iv. Design Regulations: *Intent and guidelines of the design regulations located in RMC 4-3-100.*

4. The proposal is consistent with applicable comprehensive plan policies, City of Renton zoning regulations and design guidelines as outlined in Findings 18, 19, 24, and 25 of the staff report, which is adopted by this reference as if set forth in full, including the findings and conclusions.

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2 **RMC 4-9-200(E)(3)(b): Off-Site Impacts: Mitigation of impacts to surrounding properties and**
3 **uses, including:**

4 **i. Structures:** Restricting overscale structures and overconcentration of development on a
5 particular portion of the site;

6 **ii. Circulation:** Providing desirable transitions and linkages between uses, streets,
7 walkways and adjacent properties;

8 **iii. Loading and Storage Areas:** Locating, designing and screening storage areas,
9 utilities, rooftop equipment, loading areas, and refuse and recyclables to minimize views
10 from surrounding properties;

11 **iv. Views:** Recognizing the public benefit and desirability of maintaining visual
12 accessibility to attractive natural features;

13 **v. Landscaping:** Using landscaping to provide transitions between development and
14 surrounding properties to reduce noise and glare, maintain privacy, and generally
15 enhance the appearance of the project; and

16 **vi. Lighting:** Designing and/or placing exterior lighting and glazing in order to avoid
17 excessive brightness or glare to adjacent properties and streets.

18 5. As noted above in Finding of Fact No. 3, the building has been designed to reduce the
19 apparent bulk and provide visual interest through the use of varied materials and modification of the
20 facade. The building uses less of the site than would otherwise be required by code and places
21 parking in a structured garage. The building is placed to reduce the impact on on-site critical slopes
22 while providing for a pedestrian plaza and other urban amenities along the property's frontage. As
23 noted in Finding of Fact No. 4(H and I), the proposal involves a single curb cut on Lake Washington
24 Boulevard North while also providing frontage improvements to match the existing curb line. The
25 pedestrian plaza will enhance the pedestrian experience. As noted in Finding of Fact Nos. 3 and 4,
26 loading and storage areas, refuse collection and roof equipment will be screened and will not
interfere with pedestrian circulation or parking. There are not significant views from this property.
As noted in Finding of Fact No. 4(J), landscaping will be provided on the critical slopes, around the
building, in the pedestrian plaza and on the frontage. As noted in Finding of Fact No. 5, lighting will
be designed to avoid glare on to adjacent properties or streets while providing safe illumination for
site users.

RMC 4-9-200(E)(3)(c): On-Site Impacts: Mitigation of impacts to the site, including:

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2 **i. Structure Placement:** Provisions for privacy and noise reduction by building placement,
3 spacing and orientation;

4 **ii. Structure Scale:** Consideration of the scale of proposed structures in relation to natural
5 characteristics, views and vistas, site amenities, sunlight, prevailing winds, and pedestrian
6 and vehicle needs;

7 **iii. Natural Features:** Protection of the natural landscape by retaining existing vegetation
8 and soils, using topography to reduce undue cutting and filling, and limiting impervious
9 surfaces; and

10 **iv. Landscaping:** Use of landscaping to soften the appearance of parking areas, to provide
11 shade and privacy where needed, to define and enhance open spaces, and generally to
12 enhance the appearance of the project. Landscaping also includes the design and
13 protection of planting areas so that they are less susceptible to damage from vehicles or
14 pedestrian movements.

15 6. As noted in the Staff Report (Ex. 30), the building steps back from the north property line to
16 provide a transition to the live/work area to the north. The building setback and orientation will
17 provide privacy to guests. Once operational, no noise impacts are anticipated. The proposed
18 building is smaller in scale than what is allowable under the code and is designed to reduce the
19 visual bulk of the building through varied materials and facade modulation. The pedestrian patio
20 will be visually appealing from the property's frontage. The proposal does impact the on-site steep
21 slopes, but the impact is the least feasible to allow development of the site. Adequate landscaping in
22 the pedestrian patio and frontage is proposed. Parking will be structured.

23 **RMC 4-9-200(E)(3)(d): Access and Circulation:** Safe and efficient access and circulation for
24 all users, including:

25 **i. Location and Consolidation:** Providing access points on side streets or frontage streets
26 rather than directly onto arterial streets and consolidation of ingress and egress points on
the site and, when feasible, with adjacent properties;

ii. Internal Circulation: Promoting safety and efficiency of the internal circulation system,
including the location, design and dimensions of vehicular and pedestrian access points,
drives, parking, turnarounds, walkways, bikeways, and emergency access ways;

iii. Loading and Delivery: Separating loading and delivery areas from parking and
pedestrian areas;

iv. Transit and Bicycles: Providing transit, carpools and bicycle facilities and access; and

1
2 *v. Pedestrians: Providing safe and attractive pedestrian connections between parking*
3 *areas, buildings, public sidewalks and adjacent properties.*

4 7. The proposal provides for adequate access and circulation as required by the criterion above
5 for the reasons identified in Finding of Fact No. 4(F-I).

6 **RMC 4-9-200(E)(3)(e): *Open Space: Incorporating open spaces to serve as distinctive project***
7 ***focal points and to provide adequate areas for passive and active recreation by the occupants/users***
8 ***of the site.***

9 8. The proposal provides for common open space that serves as a distinctive project focal point
10 and also provides for passive recreation as determined in Finding of Fact Nos. 3 and 4(N). A primary
11 feature of the proposal is a pedestrian patio.

12 **RMC 4-9-200(E)(3)(f): *Views and Public Access: When possible, providing view corridors to***
13 ***shorelines and Mt. Rainier, and incorporating public access to shorelines.***

14 9. The proposal would not impair view corridors to shorelines or Mt. Rainier as determined in
15 Finding of Fact No. 5. The proposal is not in proximity to any shoreline.

16 **RMC 4-9-200(E)(3)(g): *Natural Systems: Arranging project elements to protect existing natural***
17 ***systems where applicable.***

18 10. As noted in Finding of Fact No. 5, the proposal will be located to a minor extent within a
19 steep slope critical area, but the record demonstrates that the encroachment will not create any
20 adverse public safety impact. As conditioned, the project provides for adequate public safety and
21 welfare. As determined in Finding of Fact No. 4, the drainage system will allow the project to
22 discharge into natural drainage courses via the City's existing storm drainage system.

23 **RMC 4-9-200(E)(3)(h): *Services and Infrastructure: Making available public services and***
24 ***facilities to accommodate the proposed use.***

25 11. The project is served by adequate services and facilities as determined in Finding of Fact No.
26 4(A and B).

RMC 4-9-200(E)(3)(i): *Phasing: Including a detailed sequencing plan with development phases*
and estimated time frames, for phased projects.

12. The project is not phased.

1 **Urban Design Regulations**

2 **RMC 4-3-100(E)(1)(1) Building Location and Orientation:**

- 3 1. *The availability of natural light (both direct and reflected) and direct sun exposure to*
4 *nearby buildings and open space (except parking areas) shall be considered when siting*
5 *structures.*
- 6 2. *Buildings shall be oriented to the street with clear connections to the sidewalk.*
- 7 3. *The front entry of a building shall be oriented to the street or a landscaped pedestrian-*
8 *only courtyard.*
- 9 4. *Buildings with residential uses located at the street level shall be set back from the*
10 *sidewalk a minimum of ten feet (10') and feature substantial landscaping between the*
11 *sidewalk and the building or have the ground floor residential uses raised above street*
12 *level for residents privacy.*

13 13. The proposed structure is located in the only location on the site that is feasible for
14 development given the constraints of the critical areas and existing utility easement. The building
15 will feature a pedestrian patio accessible from the frontage sidewalk. As conditioned, this criterion is
16 satisfied.

17 **RMC 4-3-100(E)(1)(2) Building Entries:**

- 18 1. *A primary entrance of each building shall be:*
- 19 a. *located on the facade facing a street, shall be prominent, visible from the street,*
20 *connected by a walkway to the public sidewalk, and include human-scale elements.*
- 21 b. *made visibly prominent by incorporating architectural features such as a facade*
22 *overhang, trellis, large entry doors, and/or ornamental lighting.*
- 23 2. *Building entries from a street shall be clearly marked with canopies, architectural*
24 *elements, ornamental lighting, or landscaping and include weather protection at least*
25 *four and one-half feet wide. Buildings that are taller than thirty feet (30') in height shall*
26 *also ensure that the weather protection is proportional to the distance above ground level.*
4. *Features such as entries, lobbies, and display windows shall be oriented to a street or*
pedestrian-oriented space; otherwise, screening or decorative features should be
incorporated.

14. As noted in Finding of Fact No. 3, the primary entrances to the hotel (both pedestrian and
vehicular) are located along Lake Washington Blvd N. The locations of the entrances are located as
far north as possible from the existing railroad crossing to maximize safety. The proposed outdoor

1 patio area, along Lake Washington Blvd N, serves as a focal point for the development and allows
2 space for social interaction. Through design elements and significant landscaping, a visually
3 prominent entry along Lake Washington Blvd N would be created.

4 The main entrance for the hotel is marked with a prominent wooden entry trellis near the northwest
5 corner of the building. As noted in FOF No. 3, as conditioned, these criteria are satisfied.

6 **RMC 4-3-100(E)(1)(3) Transition to Surrounding Development:**

7 1. *At least one of the following design elements shall be considered to promote a transition to
8 surrounding uses:*

9 (a) *Building proportions, including step-backs on upper levels;*

10 (b) *Building articulation to divide a larger architectural element into smaller increments; or*

11 (c) *Roof lines, roof pitches, and roof shapes designed to reduce apparent bulk and transition
12 with existing development.*

13 *Additionally, the Administrator of the Department of Community and Economic Development or
14 designee may require increased setbacks at the side or rear of a building in order to reduce the bulk
15 and scale of larger buildings and/or so that sunlight reaches adjacent and/or abutting yards.*

16 15. As conditioned and described in Findings of Fact No. 3, this criterion is satisfied.

17 **RMC 4-3-100(E)(1)(4) Service Element Location and Design:**

18 1. *Service elements shall be located and designed to minimize the impacts on the pedestrian
19 environment and adjacent uses. Service elements shall be concentrated and located where
20 they are accessible to service vehicles and convenient for tenant use.*

21 16. As noted in Findings of Fact No. 4(M), the proposed refuse and recycle deposit areas are
22 located within the proposed structure and will not impact parking. No impacts to the pedestrian
23 environment or adjacent uses are anticipated.

24 **RMC 4-3-100(E)(2)(2) Structured Parking Garages:**

25 1. *Parking structures shall provide space for ground floor commercial uses along street
26 frontages at a minimum of seventy five percent (75%) of the building frontage width.*

17. This criterion is satisfied as the entire use is commercial in nature.

RMC 4-3-100(E)(2)(3) Vehicular Access:

1. *Access to parking lots and garages shall be from alleys, when available. If not available,
access shall occur at side streets.*

- 1 2. *The number of driveways and curb cuts shall be minimized, so that pedestrian circulation*
2 *along the sidewalk is minimally impeded.*

3 18. As noted in Finding of Fact No. 3 and 4(H), all access is from a single curb cut. This criterion
4 is satisfied.

5 **RMC 4-3-100(E)(3)(1) Pedestrian Circulation:**

- 6 1. *A pedestrian circulation system of pathways that are clearly delineated and connect*
7 *buildings, open space, and parking areas with the sidewalk system and abutting properties*
8 *shall be provided.*

9 a. *Pathways shall be located so that there are clear sight lines, to increase safety.*

10 b. *Pathways shall be an all-weather or permeable walking surface, unless the applicant can*
11 *demonstrate that the proposed surface is appropriate for the anticipated number of users*
12 *and complementary to the design of the development.*

13 19. As noted above in Finding of Fact No. 4(I), pedestrian circulation to and throughout the site
14 will be enhanced by the pedestrian patio and the placement of parking in a structured underground
15 garage. As conditioned, this criterion is satisfied.

16 **RMC 4-3-100(E)(3)(3) Pedestrian Circulation:**

- 17 1. *Sidewalks and pathways along the facades of buildings shall be of sufficient width to*
18 *accommodate anticipated numbers of users. Specifically:*

19 a. *Sidewalks and pathways along the facades of mixed use and retail buildings one hundred*
20 *(100) or more feet in width (measured along the facade) shall provide sidewalks at least*
21 *twelve feet (12') in width. The pathway shall include an eight-foot (8') minimum*
22 *unobstructed walking surface.*

23 b. *Interior pathways shall be provided and shall vary in width to establish a hierarchy. The*
24 *widths shall be based on the intended number of users; to be no smaller than five feet (5')*
25 *and no greater than twelve feet (12').*

26 20. The proposed hotel use is neither mixed use nor retail in nature. As proposed, this criterion is
27 met.

28 **RMC 4-3-100(E)(4) Recreation Areas and Common Open Space:**

- 29 2. *All buildings and developments with over thirty thousand (30,000) square feet of*
30 *nonresidential uses (excludes parking garage floorplate areas) shall provide pedestrian-*
31 *oriented space.*

1 a. *The pedestrian-oriented space shall be provided according to the following formula:*
2 *1% of the site area + 1% of the gross building area, at minimum.*

3 b. *The pedestrian-oriented space shall include all of the following:*

4 i. *Visual and pedestrian access (including barrier-free access) to the abutting*
5 *structures from the public right-of-way or a nonvehicular courtyard; and*

6 ii. *Paved walking surfaces of either concrete or approved unit paving; and*

7 iii. *On-site or building-mounted lighting providing at least four (4) foot-candles*
8 *(average) on the ground; and*

9 iv. *At least three (3) lineal feet of seating area (bench, ledge, etc.) or one*
10 *individual seat per sixty (60) square feet of plaza area or open space.*

11 c. *The following areas shall not count as pedestrian-oriented space.*

12 i. *The minimum required walkway. However, where walkways are widened or*
13 *enhanced beyond minimum requirements, the area may count as pedestrian-*
14 *oriented space if the Administrator determines such space meets the definition*
15 *of pedestrian-oriented space.*

16 21. As noted in Finding of Fact No. 3 and 4 above, the applicant is proposing a pedestrian patio
17 adjacent to the project frontage and accessible from the street. The patio meets the size, access and
18 materials requirements. Other urban amenities are proposed. As conditioned, these criteria are
19 satisfied.

20 **RMC 4-3-100(E)(5)(1) Building Character and Massing:**

21 1. *All building facades shall include modulation or articulation at intervals of no more than*
22 *forty feet (40').*

23 2. *Modulations shall be a minimum of two feet (2') deep, sixteen feet (16') in height, and eight*
24 *feet (8') in width.*

25 3. *Buildings greater than one hundred sixty feet (160') in length shall provide a variety of*
26 *modulations and articulations to reduce the apparent bulk and scale of the facade; or provide*
an additional special feature such as a clock tower, courtyard, fountain, or public gathering
area.

22. As noted in Finding of Fact 4(N and O), and as proposed and conditioned, these criteria are
satisfied.

1 **RMC 4-3-100(E)(5)(2) Ground-Level Details:**

- 2 1. *Human-scaled elements such as a lighting fixture, trellis, or other landscape feature shall be*
3 *provided along the facade's ground floor.*
- 4 2. *On any facade visible to the public, transparent windows and/or doors are required to*
5 *comprise at least 50 percent of the portion of the ground floor facade that is between 4 feet*
6 *and 8 feet above ground (as measured on the true elevation).*
- 7 3. *Upper portions of building facades shall have clear windows with visibility into and out of the*
8 *building. However, screening may be applied to provide shade and energy efficiency. The*
9 *minimum amount of light transmittance for windows shall be 50 percent.*
- 10 4. *Display windows shall be designed for frequent change of merchandise, rather than*
11 *permanent displays.*
- 12 5. *Where windows or storefronts occur, they must principally contain clear glazing.*
- 13 6. *Tinted and dark glass, highly reflective (mirror-type) glass and film are prohibited.*

14 23. As noted in Finding of Fact No. 4 above, human-scaled elements such as lighting fixtures or
15 other landscape features are proposed. However, the elements are not apparent on the provided
16 elevations (Ex. 4). Additional human scale elements are needed in order to reinforce a pedestrian
17 oriented development and enhance the commercial portion of the project at the street front.

18 **RMC 4-3-100(E)(5)(3) Building Roof Lines:** *Buildings shall use at least one of the following*
19 *elements to create varied and interesting roof profiles:*

- 20 a. *Extended parapets;*
- 21 b. *Feature elements projecting above parapets;*
- 22 c. *Projected cornices;*
- 23 d. *Pitched or sloped roofs*
- 24 e. *Buildings containing predominantly residential uses shall have pitched roofs with a minimum*
25 *slope of one to four (1:4) and shall have dormers or interesting roof forms that break up the*
26 *massiveness of an uninterrupted sloping roof.*

24 24. The applicant has proposed a pitched asphalt shingle roof that has been broken up into
25 different components with the use of varying heights and multiple feature roof elements that project
26 above the main roof line.

1 **RMC 4-3-100(E)(5)(4) Building Materials:**

- 2 1. *All sides of buildings visible from a street, pathway, parking area, or open space shall be*
3 *finished on all sides with the same building materials, detailing, and color scheme, or if*
4 *different, with materials of the same quality.*
5 2. *All buildings shall use material variations such as colors, brick or metal banding, patterns or*
6 *textural changes.*
7 3. *Materials shall be durable, high quality, and consistent with more traditional urban*
8 *development, such as brick, integrally colored concrete masonry, pre-finished metal, stone,*
9 *steel, glass and cast-in-place concrete.*

10 25. The applicant has proposed a building exterior with varied colors, textures, and profiles. This
11 criterion is satisfied.

12 **RMC 4-3-100(E)(6) Signage:**

- 13 1. *Entry signs shall be limited to the name of the larger development.*
14 2. *Corporate logos and signs shall be sized appropriately for their location.*
15 3. *In mixed use and multi-use buildings, signage shall be coordinated with the overall building*
16 *design.*
17 4. *Freestanding ground-related monument signs, with the exception of primary entry signs, shall*
18 *be limited to five feet (5') above finished grade, including support structure.*
19 5. *Freestanding signs shall include decorative landscaping (ground cover and/or shrubs) to*
20 *provide seasonal interest in the area surrounding the sign. Alternately, signage may*
21 *incorporate stone, brick, or other decorative materials as approved by the Director.*
22 6. *All of the following are prohibited:*
23 a. *Pole signs;*
24 b. *Roof signs; and*
25 c. *Back-lit signs with letters or graphics on a plastic sheet (can signs or illuminated cabinet*
26 *signs). Exceptions: Back-lit logo signs less than ten (10) square feet are permitted as area*
signs with only the individual letters back-lit (see illustration, subsection G8 of this
Section).

27 26. As described in Finding of Fact No. 5, the applicant provided a conceptual sign package (Ex.
28 28). The final sign package will be reviewed by the Current Planning Project Manager at the time of
29 building permit review. This criterion is satisfied.

1 **RMC 4-3-100(E)(7) Lighting:**

- 2 1. *Pedestrian-scale lighting shall be provided at primary and secondary building entrances.*
3 *Examples include sconces on building facades, awnings with down-lighting and decorative*
4 *street lighting.*
- 5 3. *Accent lighting shall also be provided on building facades (such as sconces) and/or to*
6 *illuminate other key elements of the site such as gateways, specimen trees, other significant*
7 *landscaping, water features, and/or artwork.*
- 8 4. *Downlighting shall be used in all cases to assure safe pedestrian and vehicular movement,*
9 *unless alternative pedestrian scale lighting has been approved administratively or is*
10 *specifically listed as exempt from provisions located in RMC 4-4-075, Lighting, Exterior On-*
11 *Site (i.e., signage, governmental flags, temporary holiday or decorative lighting, right-of-way-*
12 *lighting, etc.).*

13 27. As noted in Findings of Fact No. 5, building lighting will be utilized to complement the
14 architecture of the building. The applicant has provided plans for pedestrian-scale lighting which
15 will ensure adequate public safety can be achieved without casting excessive glare on adjacent
16 properties (Ex. 29). Staff requested further information about the lighting to assess the effect of
17 glare. A condition of approval will require the applicant to provide a lighting plan with stated foot-
18 candles levels for review prior to building permit approval.

19 **Setback Variance**

20 **RMC 4-9-250(B)(5)(a):** *That the applicant suffers practical difficulties and unnecessary hardship*
21 *and the variance is necessary because of special circumstances applicable to subject property,*
22 *including size, shape, topography, location or surroundings of the subject property, and the strict*
23 *application of the Zoning Code is found to deprive subject property owner of rights and privileges*
24 *enjoyed by other property owners in the vicinity and under identical zone classification;*

25 28. As noted above in Finding of Fact No. 5(G), the maximum front setback in the UC-N2 zone is
26 five feet. The proposed building would have a 22 ft front setback. A five foot setback is impossible
in the subject's case because of an existing 15 ft electrical utility easement. The proposal minimizes,
to the extent possible, impacts to the protected slopes on the northeastern portion of the site by
pushing the building as far forward as possible and placing parking in an underground structure. The
proposed building setback is also in keeping with surrounding development patterns for building
massing. The criterion is met due to both the critical areas in the rear of the property and the existing
easement along the frontage.

RMC 4-9-250(B)(5)(b): *That the granting of the variance will not be materially detrimental to the*
public welfare or injurious to the property or improvements in the vicinity and zone in which subject
property is situated;

1 29. As noted above in Conclusion of Law No. 28, the proposed setback is similar to other
2 buildings and sites within the subject's vicinity. The greater setback also facilitates placement of a
3 pedestrian patio along the subject's frontage, an urban amenity. The public welfare will be improved
4 by construction of the new plaza as facilitated by the increased setback. As determined in Finding of
5 Fact No. 5, no significant adverse impacts will be created by the proposal. In the absence of any
6 significant impacts and the likely improvement in public welfare, the impacts of the variance will not
7 be materially detrimental to the public welfare or injurious to property or improvements in the
8 vicinity and zone.

9 **RMC 4-9-250(B)(5)(c):** *That approval shall not constitute a grant of special privilege inconsistent*
10 *with the limitation upon uses of other properties in the vicinity and zone in which the subject*
11 *property is situated;*

12 30. Many of the buildings adjacent to the subject have similar setbacks due to the utility
13 easement. There is no special privilege.

14 **RMC 4-9-250(B)(5)(d):** *That the approval as determined by the Reviewing Official is a minimum*
15 *variance that will accomplish the desired purpose.*

16 31. The requested variance is the minimum necessary while still allowing the construction of the
17 public patio.

18 **Critical Areas Variance**

19 **RMC 4-9-250(B)(5)(a):** *That the applicant suffers practical difficulties and unnecessary hardship*
20 *and the variance is necessary because of special circumstances applicable to the subject property,*
21 *including size, shape, topography, location or surroundings of the subject property, and the strict*
22 *application of the Zoning Code is found to deprive subject property owner of rights and privileges*
23 *enjoyed by other property owners in the vicinity and under identical zone classification;*

24 32. Development of the subject property is limited by the steep slopes on site, a topographical
25 constraint. The applicant has minimized to the greatest extent feasible the impact to the slopes by
26 placing the building as far to the front of the site as possible while accommodating a staff request to
build away from the front yard and providing structured parking. The impact to the slopes is the
minimum necessary to allow for development of the subject site that is consistent with similar hotel
development rights in surrounding properties.

RMC 4-9-250(B)(5)(b): *That the granting of the variance will not be materially detrimental to the*
public welfare or injurious to the property or improvements in the vicinity and zone in which subject
property is situated;

33. As determined in Finding of Fact No. 5(H), no significant adverse impacts will be created by
the proposal. The applicant's geotechnical engineer has adequately demonstrated the slopes are

1 stable and will remain so post-construction. As conditioned, the slope impact will not result in any
2 adverse impacts to the public health or safety. In the absence of any significant impacts, the impacts
3 of the variance will not be materially detrimental to the public welfare or injurious to property or
improvements in the vicinity and zone.

4 **RMC 4-9-250(B)(5)(c):** *That approval shall not constitute a grant of special privilege inconsistent*
5 *with the limitation upon uses of other properties in the vicinity and zone in which the subject*
6 *property is situated;*

7 34. The applicant only proposes to build a hotel of similar size to other hotels in the vicinity. No
special privilege is involved.

8 **RMC 4-9-250(B)(5)(d):** *That the approval as determined by the Reviewing Official is a minimum*
9 *variance that will accomplish the desired purpose.*

10 35. Staff requested that the applicant expand the front yard setback in order to reduce the aesthetic
11 scale impacts of the building. The requested variance is the minimum necessary to accommodate the
12 expanded front yard setback requested by staff while also enabling a reasonably sized hotel. The
criterion is met.

13 Street Modification

14 **RMC 4-9-250(D)(2):** *Whenever there are practical difficulties involved in carrying out the*
15 *provisions of this Title, the Department Administrator may grant modifications for individual cases*
16 *provided he/she shall first find that a specific reason makes the strict letter of this Code impractical,*
17 *that the intent and purpose of the governing land use designation of the Comprehensive Plan is met*
and that the modification is in conformity with the intent and purpose of this Code, and that such
modification:

- 18 *a. Substantially implements the policy direction of the policies and objectives of the*
19 *Comprehensive Plan Land Use Element and the Community Design Element and the*
20 *proposed modification is the minimum adjustment necessary to implement these policies and*
objectives;
- 21 *b. Will meet the objectives and safety, function, appearance, environmental protection and*
maintainability intended by the Code requirements, based upon sound engineering judgment;
- 22 *c. Will not be injurious to other property(ies) in the vicinity;*
- 23 *d. Conforms to the intent and purpose of the Code;*
- 24 *e. Can be shown to be justified and required for the use and situation intended; and*
- f. Will not create adverse impacts to other property(ies) in the vicinity.*

25 36. The criterion above are met for the requested modification to RMC 4-6-060 for the reasons
26 identified in Finding of Fact No. 4(I). The requested modification places the street frontage
improvements along Lake Washington Blvd N. instead of along the west property line of the south

1 parcel, which is not contiguous with the road. This area in front of the south lot is currently used to
2 access overflow staff parking from Gene Coulon Memorial Park. The applicant is not proposing an
3 access point along this portion of Lake Washington Blvd N. A condition of approval will require the
4 applicant to submit a revised road improvement plan depicting a 24-foot wide driveway approach
5 between the railroad tracks and the southwest property line of parcel no. 334450-0006 along Lake
6 Washington Blvd N (Ex. 26) to preserve the overflow parking access. No adverse impacts are
7 anticipated from the proposed modification.

8 **Parking Modification**

9 **RMC 4-9-250(D)(2):** *Whenever there are practical difficulties involved in carrying out the*
10 *provisions of this Title, the Department Administrator may grant modifications for individual cases*
11 *provided he/she shall first find that a specific reason makes the strict letter of this Code impractical,*
12 *that the intent and purpose of the governing land use designation of the Comprehensive Plan is met*
13 *and that the modification is in conformity with the intent and purpose of this Code, and that such*
14 *modification:*

- 15 *a. Substantially implements the policy direction of the policies and objectives of the*
16 *Comprehensive Plan Land Use Element and the Community Design Element and the*
17 *proposed modification is the minimum adjustment necessary to implement these policies and*
18 *objectives;*
- 19 *b. Will meet the objectives and safety, function, appearance, environmental protection and*
20 *maintainability intended by the Code requirements, based upon sound engineering judgment;*
- 21 *c. Will not be injurious to other property(ies) in the vicinity;*
- 22 *d. Conforms to the intent and purpose of the Code;*
- 23 *e. Can be shown to be justified and required for the use and situation intended; and*
- 24 *f. Will not create adverse impacts to other property(ies) in the vicinity.*

25 37. The criterion above are met for the requested modification to RMC 4-6-060 for the reasons
26 identified in Finding of Fact No. 4(F). Though the RMC requires 163 parking spaces, the applicant
has reasonably proved that 147 spaces are more than adequate to meet expected demand. Both the
applicant and the City testified to the adequacy of the reduced number of spaces. Though there is a
regional parking shortage, the reduced number of spaces is not anticipated to create adverse impacts
to other properties in the vicinity as the proposed parking will more than meet the demand created by
the project.

27 **DECISION**

28 All applicable permitting criteria are met as outlined in the Conclusions of Law above. As
29 conditioned below, the Site Plan, Parking Modification, Street Modification, Setback Variance,
30 Critical Area Variance are approved subject to the following conditions:

1. The applicant shall comply with the four (4) mitigation measures issued as part of the Determination of Non-Significance Mitigated, dated June 12, 2015.
 - a. The applicant shall comply with all design recommendations included within the Geotechnical Report, as prepared by Earth Solutions Northwest LLC (ESNW), updated April 21, 2015 or an updated report submitted at a later date.
 - b. The applicant shall be required to provide, to the Current Planning Project Manager, a replanting plan of the south and southeast portions of the site ("hillside") that includes identifying disturbances to the existing native vegetation prior to construction permit approval.
 - c. A prorated share of the traffic signal and roadway improvement costs (currently being constructed by SECO Development) shall be collected from the proposed project based upon the ratio of number of trips that will be added by the project to the number of future baseline trips at the Southport/Gene Coulon Park entrance/Lake Washington Blvd N Intersection. Should SECO establish a street and utility Latecomers Agreement, these funds could be used to reimburse the cost of these roadway improvements in the amount established by such an agreement. The fee will be based on (new PM peak hour trips) / (total PM peak hour trips) x (cost of new signal and improvements). The fee shall be paid prior to final occupancy.
 - d. The applicant shall create a public outreach plan in coordination with the City of Renton to communicate with road users, the general public, area residences and businesses, and appropriate public entities about project information; road conditions in the work zone area; and the safety and mobility effects of the work zone. The public outreach plan shall be submitted to, and approved by, the Current Planning Project Manager prior to engineering permit approval.
2. The applicant shall complete a lot combination prior to building permit issuance.
3. A revised Geotechnical report shall be submitted to the Plan Reviewer prior to engineering permit approval, noting corrected impacts to steep slopes and any changes in recommendations accordingly.
4. The property owner shall retain a qualified geotechnical consulting firm to perform, on an annual basis, a reconnaissance-level geologic hazard and risk evaluation of the steep slopes on the designated critical areas of this property. The objective of the evaluation is to assess current slope conditions and advise the owner on areas of elevated risk for impacts to property or conditions that present life and safety concerns. The consulting firm shall provide an annual report to the property owner summarizing observations, conclusions and recommendations in regard to the evaluation. Copies of the reports shall be made available to the City of Renton upon request. The Current Planning Manager may temporarily or permanently waive the annual report requirement when the reports are no longer necessary to protect public safety.
5. The applicant shall submit a revised road improvement plan depicting a 24-foot wide driveway approach between the railroad tracks and the southwest property line of parcel no.

334450-0006 along Lake Washington Blvd N. The road improvements shall tie into the recently completed intersection improvements at Lake Washington Blvd N and Coulon Beach Park/Houser Way N. The revised road improvement plan shall be submitted to, and approved by, the Plan Reviewer prior to construction permit approval.

6. The applicant shall be required to submit a detailed landscaping plan depicting similar screening along the north elevation second floor patio area that is consistent with the landscaping proposed along the west elevation second floor patio area to achieve a significant landscaped roof patio screen between the two hotels. The landscaping plan shall be submitted to, and approved by, the Current Planning Project Manager prior to engineering permit approval.
7. The applicant shall be required to submit a sign package which indicates the location of the monument sign. The monument sign shall be compatible with the building's architecture and exterior finishes and contributes to the character of the development. The final sign package shall be submitted to, and approved by, the Current Planning Project Manager prior to building permit approval.
8. The applicant shall provide a lighting plan with foot-candles levels that adequately provide for public safety without casting excessive glare on adjacent properties. The final lighting plan shall be submitted to, and approved by, the Current Planning Project Manager prior to building permit approval.
9. The applicant shall be required to add 16 bicycle parking spaces onsite. Bicycle parking shall be provided for secure extended use and shall protect the entire bicycle and its components and accessories from theft and weather. Acceptable examples include bike lockers, bike check-in systems, in-building parking, and limited access fenced areas with weather protection. A final bicycle parking analysis and bicycle parking plan demonstrating compliance with the bicycle requirements outlined in RMC 4-4-080F.11 shall be submitted to and approved by the Current Planning Project Manager prior to building permit approval.
10. The applicant shall be required to submit a sample material of the finished cast-in-place concrete retaining wall representing the reveals, score joints and sandblasted treatment. The cast-in-place concrete, used to create the retaining wall in the front yard setback, shall be screened with landscaping and berming to shield at least fifty percent (50%) of the wall. The wall shall not exceed a height that would necessitate pedestrian safety railing. The retaining wall shall be designed to be used as a pedestrian seating wall from the outdoor patio area. A retaining wall detail with materials and treatments shall be submitted to, and approved by, the Current Planning Project Manager prior to building permit approval.
11. The applicant shall retain the location of the guestroom HVAC units, along the sides of the building modulation/columns, in order to reduce visibility from the street. No individual HVAC unit shall be relocated to be under the window mounts that face the public realm.
12. The applicant shall consult with the City of Renton Community Services Department to provide additional landscaping within the public right-of-way and/or wall treatments that would minimize the impact of the cast-in-place concrete retaining wall from Lake

1 Washington Blvd N. The additional landscaping or wall treatments shall be submitted to,
2 and approved by, the Current Planning Project Manager prior to building permit approval.

3 DATED this 2nd day of August, 2015.

4 
5 Phil A. Olbrechts

6 _____
7 City of Renton Hearing Examiner

8
9 **Appeal Right and Valuation Notices**

10 RMC 4-8-110(E)(9) provides that the final decision of the hearing examiner is subject to appeal to
11 the Renton City Council. RMC 4-8-110(E)(9) requires appeals of the hearing examiner's decision
12 to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A
13 request for reconsideration to the hearing e examiner may also be filed within this 14 day appeal
14 period as identified in RMC 4-8-110(E)(8) and RMC 4-8-100(G)(4). A new fourteen (14) day
15 appeal period shall commence upon the issuance of the reconsideration. Additional information
16 regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall – 7th
17 floor, (425) 430-6510.

18
19 Affected property owners may request a change in valuation for property tax purposes
20 notwithstanding any program of revaluation.
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